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35TH CONGRESS, 1st Session. | SENATE. | MIS. DOC. No. 201.

MEMORIAL

OF THE

MEMBERS AND OFFICERS OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH,

SETTING FORTH

Their grievances, and praying Congress to reconsider the course already taken, to respect their constitutional rights, withdraw the troops, and give them a voice in the selection of their rulers.

MARCH 17, 1858.—Referred to the Committee on Territories and ordered to be printed.

MEMORIAL from the members and officers of the legislative assembly of the Territory of Utah to the President and Congress of the United States.

GENTLEMEN: Your memorialists beg leave to represent that, at the last session of the legislative assembly of this Territory, resolutions and a memorial to the President of the United States were adopted and presented to him, which partially set forth our grievances and made known to the government at Washington our desires and wishes in regard to the appointment of the federal officers for Utah. We have received no response to those documents, unless it is to be understood that the appointment of a full set of officers for this Territory, backed by an army to enforce them upon us, as reported by common rumor to have been ordered and fitted out, and sent to this Territory by the President, is to be deemed an answer. Certain it is that such an army is now invading our Territory, claiming to have been sent by the authority of the President of the United States.

We now forward to you respectfully, to wit: the President and Houses of Congress, a printed copy of those resolutions and memorial, and if it is true that the army now menacing this Territory is at the instance of the President, and by the authority of the government, we request to be informed of the fact, and why it is so; for what reasons our resolutions and memorial are treated with silent contempt, and a hostile course pursued towards an unoffending people? Why it is that our eastern mails have been stopped, and the communication between this Territory and the general government cut off?

If officers had been appointed and sent in accordance with the voice of the people, as ever should be the only course in a republican government, there would have been no need of an army's being sent here.

Were the resolutions and memorial disrespectful or defiant? Read them again and see. There is not a word or sentiment in them that can fairly be construed to throw obstacles of any kind in the way of good men that might be appointed to rule over us; they simply express a fixed determination not to submit to the misrule of corrupt demagogues, who are a disgrace to the government, and who, as subsequent events have proved, expended their time in endeavoring to create a disturbance between us and the general government.

Cannot American citizens, upon American soil, be heard in their own defence? Can they not petition the parent government, without incurring its hot displeasure? Are we to be sacrificed because lying officials and anonymous letter writers wish it so? And does the government rely upon their false statements to base its action, and such action to send an army compromising the constitutional rights, the liberties of freemen? Are the horrid scenes of Missouri and Illinois to be re-enacted by the general government? Are we to be robbed and plundered, our best men slain, and the residue again driven from their homes by a merciless and infuriated soldiery, under authority usurped by the general government?

Do you not know, gentlemen, that when government ceases to perform its legitimate functions to the people, and to protect them in their inalienable rights, among which, as our fathers declared, are "life, liberty, and the pursuit of happiness," and seeks to oppress and destroy, it becomes an object of dread—of terror—a foul disgrace to its name, and cannot expect the support, respect, and esteem which should be its pride and is its duty to inspire?

We appeal to you as American citizens, who have been wronged, insulted, abused, and persecuted; driven before our relentless foes from city to city, from State to State, until we were finally expelled from the confines of civilization (?) to seek a shelter in a barren, inhospitable clime, amid the wild and savage tribes of the desert plain. We claim to be a portion of the people, and as such have rights which must be respected, and which we have a right to demand. We claim that in a republican form of government, such as our fathers established, and such as ours still professes to be, the officers are and should be the servants of the people, and not their masters, dictators, or tyrants.

To the numerous charges of our enemies we plead not guilty, and challenge the world before any just tribunal to the proof.

Are we mistaken in our views in regard to the policy and intention of the government? We hope that you will prove to us that we are. We ask you to reconsider the course that has been taken, to evince by some act of returning justice that you respect our constitutional rights, and see whether it will not lighten the burden of oppression which you have inflicted; and that the people may have just cause to rejoice in and applaud, not condemn your acts, withdraw your troops, and give us a voice in the selection of our officers, thus proving to us your willingness to extend peace rather than war.

True, this Territory is a part of the public domain of the United States; but how was it acquired? Did not the people of Utah furnish, at the call of the government, an altogether unprecedented quota of

troops to aid in the war then raging with Mexico, and that too under the most adverse circumstances? And did not the people settle this Territory while it was still under the dominion of Mexico? And did not the government discharge the "Mormon" battalion in an enemy's country, after a most toilsome march of over two thousand miles, without furnishing them the means to return? Your present acts would deprive of life and liberty those very men who so gallantly perilled their lives for the common good.

We do not charge the acts of his predecessors upon the present incumbent; but now restore unto us our rights in Missouri and other states, of which we were most inhumanly robbed; reinstate and guarantee unto us the peaceful possession of lands for which you have taken and yet retain our money; bring to justice the murderers of Joseph and Hyrum Smith, who were massacred while in the custody of the law—under the pledged faith of a sovereign State; punish the assassins of Parley P. Pratt, who slew their unresisting victim beneath the portals of the court which had pronounced him guiltless; restore unto us our political, religious, and inalienable rights, that we may have reason to believe that you are our friends and not our enemies; execute justice and judgment upon the guilty, and spare the innocent; let truth, honesty, industry, love of right and liberty stand unmolested and protected by your acts, as they are by the very genius of our loved institutions. Do that and you will do more towards rescuing our beloved country from its foul pollution and its fearful doom than can be accomplished by endeavoring to destroy a people who, under the broad folds of the Constitution, deem it no sin to unite in worshipping God according to the dictates of their own consciences. Pay us a few hundred thousand dollars, which the government honestly owe us for suppressing Indian hostilities and maintaining peaceful relations with the native tribes, instead of expending millions to deprive a portion of your citizens of "life, liberty, and the pursuit of happiness." Try on the plaster of friendly intercourse and honorable dealing, instead of foul aggression and war. Treat us as friends—as citizens entitled to and possessing equal rights with our fellows—and not as "alien enemies," lest you make us such.

You have never cherished nor fostered this as you have other Territories, though having more claim to your generosity, forbearance and protection. In 1856 we adopted a republican constitution and form of government, and forwarded those documents, a census report, and a petition to be admitted into the Union as a free, sovereign, and independent state, but an unhallowed prejudice was so strong against us that our delegates found no member of Congress willing to present and advocate our position. Why not grant us admission, and thereby at the same time act justly and peacefully and wisely dispose of a vexed question?

You have appointed, the newspapers state, a full set of officers for Utah from among entire strangers, and to do so were obliged to hawk about the offices from State to State, every honorable and principled man indignantly declining your appointments, until at length you succeeded in finding the requisite number from among the reckless, the drunken, the unprincipled, the dissolute, the houseless and penni-

less, who alone feel the need of the backing afforded by bayonets, and, for this reason, had far better remain where society is more congenial to their depraved and corrupt tastes. No doubt such is the character of the present appointees—for what other class would accept offices among a people where they well knew they were not wanted, and hence had no right, officially, to be? All we have further to say of them is, they had better tarry with their friends, if they really have any.

We claim that we should have the privilege, as we have the constitutional right, to choose our own rulers and make our own laws without let or hindrance. Examine our reports, our laws, our acts; they have ever been before the public; they speak for themselves.

All we want is the truth, and fair play. The administration have been imposed upon by false and designing men; their acts have been precipate and hasty, perhaps through lack of due consideration. Please to let us know what you want of us before you prepare your halters to hang, or "apply the knife to cut out the loathsome and disgusting ulcer." Do you wish us to deny our God and renounce our religion? That we shall not do. We are at the defiance of earth and hell to prove that we have done aught to offend the *good*.

You have not extended to Utah so much as the customary usages of investigation, which would have placed in your possession the facts in the case. Do you wish us to permit a hireling soldiery to come into our settlements? If so, for what object? Is it to protect the citizens in their rights? That is needless, because those rights have never been, in the least, infringed upon in Utah; and we are far better prepared to protect ourselves than when we first settled in this Territory, while our young and healthy men were in the United States army in Mexico. United States troops, acting in their legitimate capacity, are only sent to protect the citizens or suppress insurrection, and never, in any case, to make war upon the people.

We feel as competent to protect ourselves as we have hitherto; and there is no insurrection to quell. That "white heap" within our borders contains something besides meal; there are the deadly fangs to hold the innocent prisoners still while assassins kill them. We shall not again hold still while fetters are being forged to bind us. We have no confidence to believe the present a harmless demonstration, intended for our good. The troops, which claim to have been sent by the government, have openly said, from the time they left the Missouri river, and even before, that they were coming to destroy the leaders of our people, and that that was their object. That has been their constant speech by day and the burden of their songs by night. They have threatened to take our lives and to sport, at pleasure, with our wives and daughters. That is their openly avowed object; but woe to all who attempt to accomplish it. We trust, therefore, that you will excuse us if we do not entertain a very exalted idea of your humane (?) intentions in sending armies hither.

Give us our constitutional rights; they are all we ask, and them we have a right to expect. For them we contend, and feel alone justified in so doing.

We are aware that we have many enemies, and that they make a

strong party against us. From them we expect no mercy. A large portion of them know that if justice had its due they would either be pulling hemp by the neck or learning a trade in the confines of a prison. They roam at large in your community; are boon companions in your halls of business and of pleasure; adorn your circles of fashion, and participate in your festivities. But there is a chord of right—of honesty—integrity to the institutions of our country—of love of freedom and a respect for the rights of the weak and comparatively defenceless—that will yet thrill with emotion, vibrate through the honest heart, and respond to the cry of usurpation, tyranny and oppression exercised upon an innocent people. To that we appeal, and trust that a stern sense of justice yet remaining among the worthy sons of patriotic sires will stay the suicidal hand of crawling sycophants and corrupt rulers, and that American liberty may not be immolated upon her own altars, nor strangled in the halls of her own citadel by those whose sworn duty it is to be her protectors.

Withdraw your troops; give us our *constitutional rights*, and we are at home.

Heber C. Kimball, *Pres't Council.*
Daniel H. Wells,
Albert Carrington,
F. D. Richards,
Lorenzo Snow,
Wilford Woodruff,
Lorin Farr,
Benjamin F. Johnson,
Leonard E. Harrington,
Joseph Holbrook,
Warren S. Snow,
Louis Brunson,
George A. Smith,
John Taylor, *Speaker H. R.*
W. W. Phelps,
A. P. Rockwood,
J. C. Little,
Daniel Spencer,
Alexander McRea,
Orson Hyde,
J. W. Cummings,
Hosea Stout,
Jos. A. Young,
H. B. Clawson,
John Rowberry,
J. D. Parker,
Reddick N. Allred,
Chauncey M. West,
Aaron Johnson,
James C. Snow,
Preston Thomas,
J. G. Bigler,
George Peacock,
Philo T. Farnsworth,
J. C. Haight,
John H. Lee,
Isaac Bullock,
Leo. Hawkins, *Sec'y of Council.*
John T. Caine, *Assistant do.*
George D. Grant, *Serg't-at-arms.*
Samuel L. Sprague, *Messenger.*
John Sharp, *Foreman.*
C. H. Wheeler, *Chaplain.*
James Ferguson, *Ch. Clk. H. R.*
Patrick Lynch, *Assistant do.*
Wm. H. Kimball, *Serg't-at-arms.*
N. B. Young, jr., *Messenger.*
William Derr, *Foreman.*
Jesse Haven, *Chaplain.*
Wm. H. Hooper,
Sec'y pro. tem. U. T.

GREAT SALT LAKE CITY, UTAH TERRITORY, *January* 6, 1858.

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